



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**ZACHARY W. CARTER**  
*Corporation Counsel*

**KATHLEEN D. REILLY**  
*Assistant Corporation Counsel*  
Phone: (212) 356-2663  
Fax: (212) 356-3558  
Email: kareilly@law.nyc.gov

February 14, 2018

**BY ECF**

Honorable Debra C. Freeman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Luis Soto v. City of New York, et al.  
16 CV 5927 (AJN) (DCF)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney for defendants City of New York, retired Police Officer Jason Stefano, Police Officer Lawrence Thomas, Police Officer Edwin Florez, and Police Officer William Beattie (collectively “defendants”) in the above-referenced matter. After conferring with plaintiff’s counsel, Ryan Lozar, Esq., the parties write jointly to update the Court about the potential for settlement in accordance with the Court’s January 30, 2018 Order. (ECF No. 48.)

The parties have now completed a significant amount of the outstanding discovery. Defendants believe they have produced nearly all the outstanding requests, and the parties are in the process of conferring to determine what, if anything, is outstanding. Plaintiff has taken Officer Stefano and Officer Beattie’s depositions, and we are discussing tentative dates to depose Officer Florez and Detective Thomas, in anticipation of completed paper discovery. However, despite the progress made since the parties’ last status letter, our respective settlement positions are still too far apart at this point for a conference to be productive. Accordingly, at this time, the parties do not believe that the settlement conference should be placed back on Your Honor’s calendar at this point.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/

Kathleen D. Reilly  
Assistant Corporation Counsel

cc: **By ECF**  
Ryan Lozar, Esq., *Attorney for Plaintiff*